

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

THE FLORENTINE OWNERS ASSOCIATION, NO.  
a Washington Non-Profit Corporation,

Plaintiff,

v.

COMPLAINT FOR DECLARATORY RELIEF  
AND MONETARY DAMAGES

GRANITE STATE INSURANCE COMPANY, an JURY DEMAND  
Illinois Corporation; AMERICAN  
INTERNATIONAL GROUP, LTD., a Delaware  
Corporation; HARTFORD FIRE INSURANCE  
COMPANY, a Connecticut Corporation;  
HARTFORD CASUALTY INSURANCE  
COMPANY, an Indiana Corporation;  
HARTFORD ACCIDENT AND INDEMNITY  
COMPANY, a Connecticut Corporation;  
HARTFORD UNDERWRITERS INSURANCE  
COMPANY, a Connecticut Corporation; TWIN  
CITY FIRE INSURANCE COMPANY, an  
Indiana Corporation; PACIFIC INSURANCE  
COMPANY, LTD, a Connecticut Corporation;  
SENTINEL INSURANCE COMPANY, LTD., a  
Connecticut Corporation; HARTFORD  
LLOYD'S INSURANCE COMPANY, a Texas  
Corporation; HARTFORD INSURANCE  
COMPANY OF ILLINOIS, an Illinois  
Corporation; HARTFORD INSURANCE  
COMPANY OF THE MIDWEST, an Indiana  
Corporation; TRUMBULL INSURANCE  
COMPANY, a Connecticut Corporation;  
HARTFORD INSURANCE COMPANY OF  
THE SOUTHEAST, a Connecticut Corporation;  
NUTMEG INSURANCE COMPANY, a  
Connecticut Corporation; PROPERTY AND  
CASUALTY INSURANCE COMPANY OF  
HARTFORD, an Indiana Corporation;

COMPLAINT FOR DECLARATORY RELIEF AND  
MONETARY DAMAGES - 1

STEIN, SUDWEEKS & STEIN, PLLC  
16400 SOUTHCENTER PKWY, SUITE 410  
TUKWILA, WA 98188  
PHONE 206.388.0660 FAX 206.286.2660

HARTFORD FINANCIAL SERVICES GROUP,  
INC., a Delaware Corporation; and DOE  
INSURANCE COMPANIES 1–10,

Defendants.

Plaintiff The Florentine Owners Association (the “Association”) alleges as follows:

## I. INTRODUCTION

1.1 This is an action for declaratory judgment and monetary damages, seeking:

(A) A declaration of the rights, duties and liabilities of the parties with respect to certain controverted issues under insurance policies issued to the Association, respectively, by Granite State Insurance Company, American International Group, Ltd., Hartford Fire Insurance Company, Hartford Casualty Insurance Company, Hartford Accident and Indemnity Company, Hartford Underwriters Insurance Company, Twin City Fire Insurance Company, Pacific Insurance Company, Ltd., Sentinel Insurance Company, LTD., Hartford Lloyd’s Insurance Company, Hartford Insurance Company of Illinois, Hartford Insurance Company of the Midwest, Trumbull Insurance Company, Hartford Insurance Company of the Southeast, Nutmeg Insurance Company, Property and Casualty Insurance Company of Hartford, and Hartford Financial Services Group, Inc. (hereinafter collectively “Defendants”). The Association is seeking a ruling that the Defendants’ policies provide coverage for damage at the Florentine Condominiums and that the above listed insurers are liable for money damages for the cost of investigating and repairing the damage at the Florentine Condominiums.

(B) Attorneys’ fees and costs (including expert witness fees).

(C) Any other relief the Court deems just and equitable.

## II. PARTIES AND INSURANCE CONTRACTS

2.1 The Association. The Association is a nonprofit corporation incorporated under the laws of the state of Washington with its principal place of business located in Seattle, Washington. The Association has the duty to maintain the common elements and any limited common elements of the Florentine Condominiums for the common enjoyment of the unit owners. The Florentine

1 Condominiums consists of one building containing a total of one hundred eight (108) residential  
2 units and eight (8) commercial units located in Seattle, King County, Washington.

3 2.2 Granite State. Granite State Insurance Company (“Granite State”) is an Illinois  
4 domiciled insurer with its principal place of business in New York, New York. On information and  
5 belief, Granite State sold and issued property insurance policies to the Association and/or covering  
6 the Florentine Condominiums including, but not limited to, Policy No. 1820048 (in effect from at  
7 least December 31, 2006 to December 31, 2007). The Association is seeking coverage under all  
8 Granite State policies issued to the Association or covering the Florentine Condominiums at any  
9 time.

10 2.3 AIG. American International Group, LTD. (“AIG”) is domiciled in Delaware with its  
11 principal place of business in New York, New York. On information and belief, AIG via its  
12 subsidiaries, sold and issued property insurance policies to the Association and/or covering the  
13 Florentine Condominiums including, but not limited to, Policy No. 1820048 (in effect from at least  
14 December 31, 2006 to December 31, 2007). The Association is seeking coverage under all AIG  
15 policies issued to the Association or covering the Florentine Condominiums at any time.

16 2.4 Hartford Fire. Hartford Fire Insurance Company (“Hartford Fire”) is a Connecticut  
17 domiciled insurer with its principal place of business in Hartford, Connecticut. On information and  
18 belief, Hartford Fire sold and issued property insurance policies to the Association and/or covering  
19 the Florentine Condominiums including, but not limited to, Policy No. GW000013 (in effect from  
20 at least July 10, 2001 to July 10, 2003). The Association is seeking coverage under all Hartford  
21 Fire policies issued to the Association or covering the Florentine Condominiums at any time.

22 2.5 Hartford Casualty. Hartford Casualty Insurance Company (“Hartford Casualty”) is an  
23 Indiana domiciled insurer with its principal place of business in Hartford, Connecticut. On  
24 information and belief, Hartford Casualty sold and issued property insurance policies to the  
25 Association and/or covering the Florentine Condominiums including, but not limited to, Policy No.  
26 GW000013 (in effect from at least July 10, 2001 to July 10, 2003). The Association is seeking

1 coverage under all Hartford Casualty policies issued to the Association or covering the Florentine  
2 Condominiums at any time.

3 2.6 Hartford Accident. Hartford Accident and Indemnity Company (“Hartford Accident”) is a  
4 Connecticut domiciled insurer with its principal place of business in Hartford, Connecticut. On  
5 information and belief, Hartford Accident sold and issued property insurance policies to the  
6 Association and/or covering the Florentine Condominiums including, but not limited to, Policy No.  
7 GW000013 (in effect from at least July 10, 2001 to July 10, 2003). The Association is seeking  
8 coverage under all Hartford Accident policies issued to the Association or covering the Florentine  
9 Condominiums at any time.

10 2.7 Hartford Underwriters. Hartford Underwriters Insurance Company (“Hartford  
11 Underwriters”) is a Connecticut domiciled insurer with its principal place of business in Hartford,  
12 Connecticut. On information and belief, Hartford Underwriters sold and issued property insurance  
13 policies to the Association and/or covering the Florentine Condominiums including, but not  
14 limited to, Policy No. GW000013 (in effect from at least July 10, 2001 to July 10, 2003). The  
15 Association is seeking coverage under all Hartford Underwriters policies issued to the Association  
16 or covering the Florentine Condominiums at any time.

17 2.8 Twin City. Twin City Fire Insurance Company (“Twin City”) is an Indiana  
18 domiciled insurer with its principal place of business in Hartford, Connecticut. On information and  
19 belief, Twin City sold and issued property insurance policies to the Association and/or covering  
20 the Florentine Condominiums including, but not limited to, Policy No. GW000013 (in effect from  
21 at least July 10, 2001 to July 10, 2003). The Association is seeking coverage under all Twin City  
22 policies issued to the Association or covering the Florentine Condominiums at any time.

23 2.9 Pacific. Pacific Insurance Company, LTD. (“Pacific”) is a Connecticut domiciled insurer  
24 with its principal place of business in Hartford, Connecticut. On information and belief, Pacific  
25 sold and issued property insurance policies to the Association and/or covering the Florentine  
26 Condominiums including, but not limited to, Policy No. GW000013 (in effect from at least July

1 10, 2001 to July 10, 2003). The Association is seeking coverage under all Pacific policies issued to  
 2 the Association or covering the Florentine Condominiums at any time.

3 2.10 Sentinel. Sentinel Insurance Company, LTD. (“Sentinel”) is a Connecticut  
 4 domiciled insurer with its principal place of business in Hartford, Connecticut. On information and  
 5 belief, Sentinel sold and issued property insurance policies to the Association and/or covering the  
 6 Florentine Condominiums including, but not limited to, Policy No. GW000013 (in effect from at  
 7 least July 10, 2001 to July 10, 2003). The Association is seeking coverage under all Sentinel  
 8 policies issued to the Association or covering the Florentine Condominiums at any time.

9 2.11 Hartford Lloyds. Hartford Lloyd’s Insurance Company (“Hartford Lloyds”) is a Texas  
 10 domiciled insurer with its principal place of business in Hartford, Connecticut. On information and  
 11 belief, Hartford Lloyds sold and issued property insurance policies to the Association and/or  
 12 covering the Florentine Condominiums including, but not limited to, Policy No. GW000013 (in  
 13 effect from at least July 10, 2001 to July 10, 2003). The Association is seeking coverage under all  
 14 Hartford Lloyds policies issued to the Association or covering the Florentine Condominiums at  
 15 any time.

16 2.12 Hartford Illinois. Hartford Insurance Company of Illinois (“Hartford Illinois”) is an Illinois  
 17 domiciled insurer with its principal place of business in Hartford, Connecticut. On information and  
 18 belief, Hartford Illinois sold and issued property insurance policies to the Association and/or  
 19 covering the Florentine Condominiums including, but not limited to, Policy No. GW000013 (in  
 20 effect from at least July 10, 2001 to July 10, 2003). The Association is seeking coverage under all  
 21 Hartford Illinois policies issued to the Association or covering the Florentine Condominiums at  
 22 any time.

23 2.13 Hartford Midwest. Hartford Insurance Company of the Midwest (“Hartford Midwest”) is  
 24 an Indiana domiciled insurer with its principal place of business in Hartford, Connecticut. On  
 25 information and belief, Hartford Midwest sold and issued property insurance policies to the  
 26 Association and/or covering the Florentine Condominiums including, but not limited to, Policy No.  
 GW000013 (in effect from at least July 10, 2001 to July 10, 2003). The Association is seeking

1 coverage under all Hartford Midwest policies issued to the Association or covering the Florentine  
2 Condominiums at any time.

3 2.14 Trumbull. Trumbull Insurance Company (“Trumbull”) is a Connecticut domiciled insurer  
4 with its principal place of business in Hartford, Connecticut. On information and belief, Trumbull  
5 sold and issued property insurance policies to the Association and/or covering the Florentine  
6 Condominiums including, but not limited to, Policy No. GW000013 (in effect from at least July  
7 10, 2001 to July 10, 2003). The Association is seeking coverage under all Trumbull policies issued  
8 to the Association or covering the Florentine Condominiums at any time.

9 2.15 Hartford Southeast. Hartford Insurance Company of the Southeast (“Hartford Southeast”)  
10 is a Connecticut domiciled insurer with its principal place of business in Hartford, Connecticut. On  
11 information and belief, Hartford Southeast sold and issued property insurance policies to the  
12 Association and/or covering the Florentine Condominiums including, but not limited to, Policy No.  
13 GW000013 (in effect from at least July 10, 2001 to July 10, 2003). The Association is seeking  
14 coverage under all Hartford Southeast policies issued to the Association or covering the Florentine  
15 Condominiums at any time.

16 2.16 Nutmeg. Nutmeg Insurance Company (“Nutmeg”) is a Connecticut domiciled insurer with  
17 its principal place of business in Hartford, Connecticut. On information and belief, Nutmeg sold  
18 and issued property insurance policies to the Association and/or covering the Florentine  
19 Condominiums including, but not limited to, Policy No. GW000013 (in effect from at least July  
20 10, 2001 to July 10, 2003). The Association is seeking coverage under all Nutmeg policies issued  
21 to the Association or covering the Florentine Condominiums at any time.

22 2.17 Hartford Property and Casualty. Property and Casualty Insurance Company of Hartford  
23 (“Hartford Property and Casualty”) is an Indiana domiciled insurer with its principal place of  
24 business in Hartford, Connecticut. On information and belief, Hartford Property and Casualty sold  
25 and issued property insurance policies to the Association and/or covering the Florentine  
26 Condominiums including, but not limited to, Policy No. GW000013 (in effect from at least July

1 10, 2001 to July 10, 2003). The Association is seeking coverage under all Hartford Property and  
 2 Casualty policies issued to the Association or covering the Florentine Condominiums at any time.

3 2.18 HFSG. Hartford Financial Services Group, Inc. (“HFSG”) is domiciled in Delaware with  
 4 its principal place of business in Hartford, Connecticut. On information and belief, HFSG, via its  
 5 subsidiaries, sold and issued property insurance policies to the Association and/or covering the  
 6 Florentine Condominiums including, but not limited to, Policy No. GW000013 (in effect from at  
 7 least July 10, 2001 to July 10, 2003). The Association is seeking coverage under all HFSG policies  
 8 issued to the Association or covering the Florentine Condominiums at any time.

9 2.19 Doe Insurance Companies 1–10. Doe Insurance Companies 1–10 are currently unidentified  
 10 entities who, on information and belief, sold insurance policies to the Association that identify the  
 11 Florentine Condominiums as covered property.

12 2.20 Florentine Insurers. Granite State, AIG, Hartford Fire, Hartford Casualty, Hartford  
 13 Accident, Hartford Underwriters, Twin City, Pacific, Sentinel, Hartford Lloyds, Hartford Illinois,  
 14 Harford Midwest, Trumbull, Hartford Southeast, Nutmeg, Hartford Property and Casualty, HFSG,  
 15 and Doe Insurance Companies 1–10 shall be collectively referred to as the “Florentine Insurers.”

16 2.21 Florentine Policies. The policies issued to the Association by the Florentine Insurers shall  
 17 be collectively referred to as the “Florentine Policies.”

### 18 **III. JURISDICTION AND VENUE**

19 3.1 This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332  
 20 (diversity jurisdiction) as the parties are completely diverse in citizenship and the amount in  
 21 controversy exceeds \$75,000.

22 3.2 Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2) as the Florentine  
 23 Insurers marketed and sold insurance to the Association in King County; a substantial part of the  
 24 events giving rise to the claim occurred in King County; and the insured condominium buildings  
 25 are located in King County.



**IV. FACTS**

4.1 Incorporation by Reference. The Association re-alleges the allegations of Paragraphs 1.1 through 3.2, above, as if fully set forth herein.

4.2 Tender to Florentine Insurers. In October 2023, the Association tendered claims for insurance coverage to the Florentine Insurers for hidden damage recently discovered by J2 Building Consultants ("J2"). As part of the tender of claim, the Association asked the Florentine Insurers to investigate and pay for any covered hidden damage at the property. The Association understands from J2 that the cost to repair the covered hidden water damage at the Florentine Condominiums is substantially over the jurisdictional limit of \$75,000.

**V. FIRST CLAIM AGAINST THE FLORENTINE INSURERS FOR DECLARATORY RELIEF THAT THE FLORENTINE POLICIES PROVIDE COVERAGE**

5.1 Incorporation by Reference. The Association re-alleges and incorporates by reference the allegations of Paragraphs 1.1 through 4.2, above, as if fully set forth herein.

5.2 Declaratory Relief. The Association seeks declaratory relief from the Court in the form of determinations regarding the following disputed issues:

- (A) The Florentine Policies cover the hidden damage at the Florentine Condominiums.
- (B) No exclusions, conditions, or limitations bar coverage under the Florentine Policies.
- (C) The loss or damage to the Florentine Condominiums was incremental and progressive. New damage commenced during each year of the Florentine Policies.
- (D) As a result, the Florentine Policies cover the cost of investigating and repairing the hidden damage at the Florentine Condominiums.

**VI. PRAYER FOR RELIEF**

WHEREFORE, the Association prays for judgment as follows:

6.1 Declaratory Judgment Regarding Coverage. A declaratory judgment that the Florentine Policies provide coverage as described herein and that the Florentine Insurers are obligated to pay money damages to repair the hidden damage at the Florentine Condominiums.

6.2 Money Damages. For money damages in an amount to be proven at trial.



6.3 Attorneys' Fees and Costs of Suit. For reasonable attorneys' fees and costs (including expert fees). *See Olympic Steamship Co. v. Centennial Ins. Co.*, 117 Wn.2d 37, 811 P.2d 673 (1991), and RCW 48.30.015.

6.4 Other Relief. For such other and further relief as the Court deems just and equitable.

## VII. DEMAND FOR JURY TRIAL

7.1 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, the Association demands trial by jury in this action of all issues so triable.

DATED this 7th day of March, 2024.

### STEIN, SUDWEEKS & STEIN, PLLC

/s/ Jerry H. Stein

/s/ Justin D. Sudweeks

/s/ Daniel J. Stein

/s/ Cortney M. Feniello

Jerry H. Stein, WSBA 27721

Justin D. Sudweeks, WSBA 28755

Daniel J. Stein, WSBA 48739

Cortney M. Feniello, WSBA 57352

16400 Southcenter Pkwy, Suite 410

Tukwila, WA 98188

Email: jstein@condodefacts.com

justin@condodefacts.com

dstein@condodefacts.com

cfeniello@condodefacts.com

Telephone: (206) 388-0660

Facsimile: (206) 286-2660

***Attorneys for Plaintiff***